

JOURNAL OF THE HOUSE.

Monday, April 9, 2007.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Petrolati of Ludlow in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Eternal God, during the Easter season, our hearts and minds are filled with peace, happiness, joy and love. We are grateful for these gifts and blessings. This week, we look to You for guidance in a special way as we begin legislative action on the annual state budget and other legislative items. Honest disagreements on legislative and public policy issues are expected, but we all strive to improve the material and spiritual quality of all for the present time and for the future. Teach us to be open to the views of others as we formulate our own decisions. Inspire us to be faithful to our principles, beliefs and our traditional values, human and spiritual.

Prayer.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mr. Petrolati), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Ms. Callahan of Sutton) urging his Excellency Governor Deval Patrick to recognize May 2007 as Lyme Disease Awareness Month;

Lyme Disease
Awareness
Month.

Resolutions (filed by Ms. Kaprielian of Watertown and other members of the House) on the occasion of the Day of Remembrance for the Armenian Genocide of 1915 to 1923;

Armenian
Genocide.

Resolutions (filed by Representatives Rice of Gardner, Eldridge of Acton, Flanagan of Leominster and DiNatale of Fitchburg) recognizing David A. Celuzza for a lifetime of distinguished public service;

David A.
Celuzza.

Resolutions (filed by Mr. Scibak of South Hadley) congratulating Joanna Devine on her retirement from the town of Hadley;

Joanna
Devine.

Resolutions (filed by Mr. Vallee of Franklin) congratulating Andrew N. Dobday on receiving the Eagle Award of the Boy Scouts of America;

Andrew N.
Dobday.

Resolutions (filed by Mr. Vallee of Franklin) congratulating John Travalini on receiving the Eagle Award of the Boy Scouts of America; and

John
Travalini.

Resolutions (filed by Ms. Walz of Boston) congratulating Fisher College on the occasion of the dedication of One Arlington Street, Boston, Massachusetts;

Fisher
College.

Mr. Scaccia of Boston, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Peterson of Grafton, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Papers from the Senate.

South Hadley,
liquor license.

The engrossed Bill authorizing the town of South Hadley to grant additional alcoholic beverages licenses (see House, No. 3752, changed) came from the Senate with an amendment in section 1, striking out the last paragraph and inserting in place thereof the following paragraph:

"If the license granted under this section is cancelled, revoked or no longer in use, such license shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the board of selectmen. Notwithstanding section 17 of chapter 138 of the General Laws or any other general or special law to the contrary, the board of selectmen may then grant the license to a new applicant at the same location and under the same conditions as specified in the preceding paragraph."

Under suspension of Rule 35, on motion of Mr. Rush of Boston, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

MWRA,
sale of land.

A Bill relative to the sale of land by the Massachusetts Water Resources Authority (Senate, No. 2179, amended by striking out section 1 and inserting the following section:

"SECTION 1. Pursuant to subsection (d) of section 9 of chapter 372 of the acts of 1984 and notwithstanding any other general or special law, ordinance or rule or regulation to the contrary, the Massachusetts Water Resources Authority, may convey to Quincy Shipyard, LLC, a limited liability company, or its nominee Fore River Marine Terminal, LLC, a Massachusetts limited liability company, a certain parcel of land owned by the authority in the city of Quincy, consisting of approximately 320,385 square feet of land and 298,468 square feet of water. The parcel, generally located on South street, is more particularly described as Lot 7C1 in a plan titled 'Subdivision Plan of Land, Lot 7C, South Street in Quincy, Massachusetts (Norfolk County), Fore River Shipyard,' dated February 3, 2005, by Bryant Associates, Inc, signed by James E. Peterson, Registered PLS. The consideration for the conveyance shall be not less than \$4,411,000.00."; and by inserting before the enacting clause the following emergency preamble:—

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the Massachusetts Water Resources Authority to dispose of real property in the city of Quincy, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.") (on Senate, No. 19), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Reports

Of the Department of Public Health (under the provisions of Sections 5 and 20 of Chapter 111 of the General Laws) relative to inspections of certain correctional facilities in the Commonwealth, severally were spread upon the records of the House, as follows:

Correctional facilities, inspection reports.

Of the Bristol County Jail, Ash Street Facility, in the town of Dartmouth;

Of the Dedham Alternative Center, in the town of Dedham;

Of M.C.I. Concord, in the town of Concord; and

of the Norfolk County Correctional Center; in the town of Dedham.

Severally were spread upon the records of the House; and returned to the Senate.

The following notice was received from the Clerk of the Senate, to wit:

April 4, 2007.

Honorable Salvatore F. DiMasi
Speaker of the House of Representatives
Room 356 State House
Boston, MA 02133

Dear Mr. Speaker:

I have the honor to inform you that the Senate President has announced several committee appointments that have been ratified by the Majority Party caucus and have taken effect on this day:

Senate committee appointments.

Senator Steven C. Panagiotakos has been appointed Chairman of the Senate Committee of Ways and Means.

Senator Steven A. Tolman has been appointed Vice Chairman of the Senate Committee on Ways and Means.

Senator Stephen M. Brewer has been appointed Assistant Vice Chairman of the Senate Committee on Ways and Means.

Senator Tolman has resigned his position as Chairman of the Committees on Rules of the two branches, acting concurrently, on the part of the Senate and Chairman of the Senate committee on Ethics and Rules.

Senator Joan M. Menard has been appointed Chairman of the Committees on Rules of the two branches, acting concurrently, on the part of the Senate and Chairman of the Senate committee on Ethics and Rules.

Senator Brewer has resigned his position as chairman of the Committee on Bills in the Third Reading.

Senator Edward M. Augustus, Jr. has been appointed the Chairman of the Committee on Bills in the Third Reading.

Senator President Murray has been appointed to the Second position on the Committees on Rules of the two branches, acting concurrently, on the part of the Senate and the Senate Committee on Ethics and Rules.

Senator Panagiotakos has resigned his position as Vice Chairman of the committee on Higher Education.

Senator Tolman has resigned his position as Vice Chairman of the committee on Public Service and has been replaced by Senator Augustus.

Special

Commission on
Homelessness.

The Senate President also announced her appointments to the Special Commission established (pursuant to Chapter 2 of the Resolves of 2006) relative to ending homelessness in the Commonwealth.

The membership is as follows: Senators Susan C. Tucker, Dianne Wilkerson, Edward M. Augustus, Jr., Brian A. Joyce and Michael R. Knapik.

Respectfully submitted,

WILLIAM F. WELCH,
Clerk of the Senate.

Recess.

Recess.

At twenty minutes after eleven o'clock A.M., on motion of Mr. Donato of Medford (Mr. Petrolati of Ludlow being in the Chair), the House recessed until the hour of twelve o'clock noon; and at twenty-seven minutes before one o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Emergency Measure.

Antoinette
Romes,
sick leave.

The engrossed Bill establishing a sick leave bank for Antoinette Romes, an employee of the Department of Transitional Assistance (see House, No. 3941, changed), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 3 to 0. Sent to the Senate for concurrence.

Orders of the Day.

Third
reading
bill.

The House Bill establishing a sick leave bank for Frances Berghaus an employee of the Department of Correction (House, No. 3758), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Third reading bill
amended.

The House Bill authorizing the town of Franklin to grant an additional liquor license for the sale of wine and malt beverages not be drunk on the premises (House, No. 3962) was read a third time.

The committee on Bills in the Third Reading reported recommending that the bill be amended by striking out all after the enacting clause and inserting in place thereof the following:

"SECTION 1. Notwithstanding section 17 of chapter 138 of the General Laws, the town counsel of the town of Franklin may grant 1 additional license for the sale of wine and malt beverages not to be drunk on the premises under section 15 of said chapter 138. Said license shall be subject to said chapter 138 except section 17. Said license shall be located at the Lincoln Street Market.

SECTION 2. The issuance of said license shall be within the sound discretion of the town counsel of the town of Franklin.

SECTION 3. This act shall take effect upon its passage."

The amendment was adopted; and the bill (House, No. 3962, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DiMasi of Boston,—

Ordered. That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M. Next sitting.

At fourteen minutes before one o'clock P.M., on motion of Mr. Golden of Lowell (Mr. Donato of Medford being in the Chair), the House adjourned, to meet tomorrow at eleven o'clock A.M.